



**Howard County  
Department of Fire & Rescue**

**Bureau of Life Safety**

**Fire Prevention Code  
2007**





**Title 17 Public Protection Services**  
**Subtitle 1 Fire and Rescue Services**  
**Section 17.104 Howard County Fire Prevention Code**  
**Local Amendments to NFPA 1**

	<b>PAGE</b>
<b>Chapter 1 Administration</b>	
1.1 Scope	1
1.3.3 Conflicts with codes most restrictive applies	2
1.7 Authority	2
1.7.5 Delegation of Authority	2
1.7.6.1 Designation personnel to inspect	2
1.7.6.1.1 Documentation of Inspection, Photographs	2
1.7.6.3 Authority to Inspect	3
1.7.6.7 Penalties Refuse to allow inspection	3
1.7.8.1 Penalties Interference with enforcement	3
1.7.9.1 Penalties for Impersonation	4
1.7.10.1 Authority to Investigate	4
1.7.10.2 Evidence removal	4
1.7.10.5 Penalties Investigation	4
1.7.14.1 Stop Work or Evacuation	5
1.7.14.5 Penalties Stop Work, Abate condition, Evacuation	5
1.7.15 Standby Fire Personnel (Fire Watch)	5
1.7.15.5 Penalties Fire Watch	6
1.8 Duties and Powers of the Incident Commander	6
1.9 Liability	6
1.10 Board of Appeals Delete section	6
1.12 Permits Section Deleted, AHJ can adopt regulations for permits	7
1.14 Plan Review	7
1.15 Technical Assistance	7
1.16 Notice of Violation and Penalties	7
1.16.1.1 Immediate Citation Authority	8
1.16.6 Violation Classifications	8
<b>Chapter 2 Reference Publications</b>	
2.1 NFPA Publications Delete reference to NFPA 5000	9
2.1 Add County Building, Gas and Electric Code	9
<b>Chapter 3 Definitions</b>	
3.2.2 AHJ definition	9
3.2.6a May definition	9
3.3.29a Bulkhead definition	10
3.3.68 Cooking fire definition	10
3.3.106 Fire Department Access road definition	11
3.3.139 Imminent Danger definition	11

3.3.148a	Lock-up definition	11
3.3.165a	Family Day-care home definition	11
3.3.165b	Group day-care home definition	11
3.3.165c	Day-care Center definition	12
3.3.165.16	Lodging or Rooming house definition	12
3.3.165.22	Residential Board and Care Occupancy definition	12
3.3.180a	Person definition	12
3.3.197	Recreational Fire definition	12

## **Chapter 4 General Requirements**

4.4.3.1.4	Visual Obscuration Security Systems	12
-----------	-------------------------------------	----

## **Chapter 10 General Fire Safety**

10.1	Fundamental Requirements	Conflicts with codes	13
10.5	Building evacuation		13
10.10	Smoking		13
10.11	Open Fires including Firepits and Barbecue Grills		13
10.12	Fire Protection Marking (Address Numbers)		14
10.13	Vacant Building		14
10.14	Combustible Vegetation		15
10.16	Outside Storage Requirements		15
10.19	Combustible Materials Storage requirements		15
10.19.7	Fueled Equipment, Motorcycles, Mopeds etc. on decks		15

## **Chapter 11 Building Services**

11.1.2.1	Electrical Testing Label	16
11.1.2.2	Electrical Equipment Clearance	16
11.1.3	Open Wiring	16
11.1.8	Electrical Room Door Marking	16
11.5	Kerosene Heaters Prohibited	16

## **Chapter 12 Features of Fire Protection**

12.1	Building construction, fire protection features maintained	17
12.1.1	Openings sealed – ceiling tiles, penetrations	17

## **Chapter 13 Fire Protection Systems**

13.1.3.1	Fire Department Connection	17
13.1.4	Clearance around Fire Protection Equipment	17
13.1.12	Tampering, or making a system inoperable	17
13.1.13	Penalties Tampering and Maintaining Fire Protection Equipment	18
13.2	Standpipe Systems	18
13.2.3.2	Standpipe Hose and Nozzle Requirements	18
13.3	Automatic Sprinklers	18
13.3.1.2	Drop out Ceiling Tiles Prohibited	18
13.3.1.2.1	Marking Sprinkler Room Doors	18

13.3.2.5	Sprinkler Requirements Assembly Occupancies	19
13.3.2.7	to 13.3.2.27 Sprinkler requirements other occupancies	20-22
13.3.3.3.1	Drop out Ceiling Tiles prohibited	22
13.4	Fire Pumps in below ground installations	22
13.6	Portable Extinguishers	23
13.7	Detection, Alarm, and Communication Systems	23
3.7.1.4.8	Smoke Alarms	23

## **Chapter 14 Means of Egress**

14.5.3.3.5	Lockups Amend release time	26
------------	----------------------------	----

## **Chapter 16 Safeguards During Building Construction, Alteration, and Demolition Operation**

16.2	Trash, Debris, Rubbish shall not be burned	26
------	--	----

## **Chapter 18 Fire Department Access and Water Supply**

18.1	General	27
18.2	Fire Department Access	27
18.3	Water Supply and Fire Hydrants	28

## **Chapter 20 Occupancy Fire Safety**

20.1.3	Temporary Special Amusement Buildings	29
20.1.4.2.3	Open Flame, Candle Regulations	29
20.1.4.5.4.12	Vehicles on Display	29
20.1.4.6.	Crowd Manager	29
20.1.4.8	Drills Announcement Responsibilities	30
20.1.4.9	Smoking	30
20.1.4.10	Festival Seating	30
20.1.4.10.3	Occupant Load Posting	31
20.3.3	Day-Care Occupancies	31

## **Chapter 25 Grandstand and Bleachers, Folding and Telescopic Seating, tents and membrane Structures**

25.2	Tents Testing standards	33
------	-------------------------	----

## **Chapter 27 Manufactured Homes and Recreational Vehicle Sites**

27.1	Manufactured Home Sites	33
------	-------------------------	----

## **Chapter 31 Forest Products**

31.3	Forest Products	33
------	-----------------	----

## **Chapter 33 Outside Storage of Tires**

33.1.2	Additional Requirements	34
--------	-------------------------	----

<b>Chapter 42 Refueling</b>		
42.2	Automotive Fueling Stations Additional requirements	34
<b>Chapter 50 Commercial Cooking Equipment</b>		
50.1	Additional requirements	35
<b>Chapter 60 Hazardous Materials</b>		
60.1	General	35
<b>Chapter 65 Explosives, Fireworks, and Model Rocketry</b>		
65.1.1	General	35
65.1.1.1	Fireworks Requirements	35
65.1.3	Howard County PD Authority for Fireworks	35
65.1.4	Seizure Authority	36
65.1.5	Penalties	36
<b>Chapter 66 Flammable and Combustible Liquids</b>		
66.2	Tank storage	36
<b>Chapter 69 Liquefied Petroleum Gases and Liquefied Natural Gases</b>		
69.1.1.1.1	Cylinder size allowed inside	36
69.1.1.1.2	Cylinders on Balcony	36
69.1.1.1.3	Construction Site Requirements for cylinders	37
<b>17.105</b>	<b>Emergency Powers and Unsafe Structures</b>	
	Fire Department Powers and Posting unsafe structures	38
<b>17.106</b>	<b>Rubbish, Debris, Noxious Weeds declared to be a Nuisance</b>	39
<b>17.107</b>	<b>False Emergency Alarms</b>	40
<b>17.108</b>	<b>Installation of Option to Install Residential Automatic Sprinkler Systems</b>	41
<b>17.111</b>	<b>Fire Damaged Building or Structure</b>	
	Abatement	42

**Title 17. Public Protection Services**  
**Subtitle 1 Fire and Rescue Services**

**Section 17.104 Howard County Fire Prevention Code**

(a) **Adoption of National Codes:** Except as provided in Subsection (b) of this Section, the NFPA 1, the Uniform Fire Code 2006 Edition (published by the National Fire Protection Association), is adopted as the Howard County Fire Prevention Code as if the national code is set out in full in this subtitle.

(b) **Local amendments to the Howard County Fire Prevention Code:** the following amendments modify certain provisions of the adopted code:

**General:**

- (1) The term “code official”, “enforcement officer”, or “fire official” shall mean the Chief of the Department of Fire and Rescue Services or the chief’s authorized designee.
- (2) Wherever the name of the municipality is to be indicated, insert “Howard County, Maryland”.
- (3) Wherever the term “this code” is used, it refers to the Howard County Fire Prevention Code.

**CHAPTER 1 Administration**

**Section 1.1 Scope**

**Section 1.1.1**

**Subsection 1.1.1(2)** (Delete and substitute following)

Investigation of fires, explosions, potentially explosive devices, hazardous material incidents, and other related emergency incidents. These duties may be performed in conjunction with other public agencies pursuant to a written agreement.

**Subsection 1.1.1(3)** (Delete and substitute following)

In conjunction with the Department of Planning and Zoning, review of site development plans for adequate access, water supply, and other life safety issues. If requested by the Department of Inspections, Licenses and Permits, the review of design and construction drawings, plans, and specifications for life safety systems, fire protection systems, and other fire and life safety issues.

**Subsection 1.1.1(5)** (Delete and substitute following)

The inspection of existing occupancies, structures, and areas If requested by the Department of Inspections, Licenses, and Permits, the inspection of the construction and design of new buildings and alterations and additions to existing buildings.

**Subsection 1.1.1(6)** (Delete and substitute following)

The maintenance and testing of existing fire protection systems and equipment. If requested by the Department of Inspections, Licenses, and Permits, the design, alteration, modification, and installation of new and existing fire protection systems and equipment.

**Subsection 1.3.3 Conflicts**

**Subsection 1.3.3.1** (Delete and substitute following)

When this code and any other referenced codes or code section have conflicting requirements, the most restrictive requirement shall apply unless the AHJ accepts alternative features or requirements that provide the same level of fire safety as the requirements of this code.

**Section 1.7 Authority**

**Subsection 1.7.1 Administration** (Delete and substitute following)

The provisions of this code and Sections 17.105, 17.106, 17.107, and 17.108 of the Howard County Code shall apply without restriction, unless specifically exempted.

**Subsection 1.7.5 Delegation of Authority** (Delete and substitute following)

In addition to the enforcement authority of the AHJ and the enforcement authority granted to the police department by Section 1.7.4 and Section 65.1.3 of this code, the Director of the Department of Inspections, Licenses and Permits, or the director's authorized designee, may enforce the provisions of this code when

- (1) Reviewing plans for or inspecting new construction;
- (2) Requested to conduct specific inspections authorized by the AHJ; or
- (3) Inspecting commercial or residential buildings, structures, sites, or areas.

**Subsection 1.7.6 Inspections**

**Subsection 1.7.6.1** (Delete and substitute following)

The AHJ shall designate persons authorized to inspect buildings, structures, sites, or areas for conformity with the requirements of this code.

**Subsection 1.7.6.1.1** (add new subsection)

Personnel performing inspections may take photographs or videotapes solely for the purpose of documenting violations.



**Subsection 1.7.6.3** (Delete and substitute following)

An authorized inspector

- (1) May conduct a fire safety inspection in a nonresidential building, structure, site, or area at any reasonable hour;
- (2) May conduct a fire safety inspection in the public area of a multi-family residential building and in the interior of a multi-resident building occupied by more than five non-related persons;
- (3) Except as provided in paragraph 4 of this Subsection, may not conduct a fire safety inspection of the interior of a private dwelling unless:
  - A. The property owner has given consent; or
  - B. The AHJ has obtained a court warrant; and
- (4) May enter and inspect any building, structure, site, or area at any time if there is evidence that a hazardous condition, emergency, or imminent danger exists.

**Subsection 1.7.6.7 Penalty** (add new subsection)

A person who refuses to allow an inspection of a building, structure, site, or area when the inspection is authorized by this code is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this Section with civil penalties pursuant to title 24, "Civil Penalties," of the Howard County Code. A violation of this Subsection is a class A offense. Each day that a violation continues is a separate offense.

**Subsection 1.7.7**

Delete this Section.

**Subsection 1.7.8 Interference with Enforcement**

**Subsection 1.7.8.1 Penalty** (add new subsection)

A person interfering or causing a condition that would interfere with the enforcement of this code is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this Section with civil penalties pursuant to title 24, "Civil Penalties," of the Howard County Code. A violation of this Subsection is a class A offense. Each day that a violation continues is a separate offense.

**Subsection 1.7.9 Impersonation****Subsection 1.7.9.1 Penalty** (add new subsection)

A person impersonating a fire official is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this Section with civil penalties pursuant to title 24, "Civil Penalties," of the Howard County Code. A violation of this Subsection is a class A offense. Each day that a violation continues is a separate offense.

**Subsection 1.7.10 Investigation****Subsection 1.7.10.1** (Delete and substitute the following)

**Authority** The AHJ may investigate the origin, cause, and circumstances of any fire, explosion, potentially explosive device, hazardous materials incident, or other emergency situation. These duties may be performed in conjunction with other public agencies pursuant to a memorandum of understanding or other agreement.

**Subsection 1.7.10.2** (Delete and substitute the following)

**Evidence** The AHJ may take custody of all physical evidence relating to the cause of a fire, explosion, hazardous materials incident, or other emergency situation. Physical evidence shall include a potentially explosive device.

**Subsection 1.7.10.5 Penalty** (add new subsection)

A person interfering or causing a condition that would interfere with an investigation is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this Section with civil penalties pursuant to title 24, "Civil Penalties," of the Howard County Code. A violation of this Subsection is a class A offense. Each day that a violation continues is a separate offense.

**Subsection 1.7.12 Inspection of Construction and Installation****Subsection 1.7.12.1** (Delete and substitute the following)

When requested by the Department of Inspections, Licenses, and Permits, the Department of Fire and Rescue Services shall assist the Department of Inspections, Licenses and Permits with the inspection of new construction, alterations, or the installation of processes or equipment covered by this code.

**Subsections 1.7.12.2 through 1.7.12.4**

Delete these Subsections.

**Subsection 1.7.13 Certificate Occupancy**

Delete “AHJ for fire code enforcement” and substitute “the Department of Inspections, Licenses, and Permits for fire code compliance”.

**Subsection 1.7.14 Stop Work or Evacuation****Subsection 1.7.14.1** (Delete and substitute the following)

The AHJ may order an operation or use stopped when the operation or use creates a hazardous condition. The AHJ shall order an operation or use stopped when the operation or use creates an emergency or imminent danger.

**Subsection 1.7.14.2** (Delete and substitute the following)

A permit required by the Department of Inspections, Licenses and Permits shall be obtained for the construction, renovation, or alteration of any building, structure, site, area, or fire protection equipment. If any work violates the provisions of this code, the AHJ shall request the Howard County Department of Inspections, Licenses, and Permits to issue a stop work order

**Subsection 1.7.14.3** (Delete and substitute the following)

Work subject to a stop work order shall immediately stop unless the stop work order is rescinded by the Department of Inspections, Licenses, and Permits.

**Subsection 1.7.14.4** (add new subsection)

The AHJ may order the evacuation of a building or structure if the fire detection or suppression system is not in working order, the building or structure is overcrowded, or there is a violation of this code that creates a hazardous condition, emergency, or imminent danger.

**Subsection 1.7.14.5** Penalty (add new subsection)

A person failing to obey an order to stop work, abate a condition, cease a use, or immediately evacuate a building, structure, site, or area is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000, or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this Section with civil penalties pursuant to title 24, “Civil Penalties,” of the Howard County Code. A violation of this Subsection is a class A offense. Each day that a violation continues is a separate offense.

**Subsection 1.7.15 Standby Fire Personnel****Subsection 1.7.15.4** (add new subsection)

The AHJ shall set forth the qualifications for standby fire personnel (fire watch) and their duties and responsibilities.

**Subsection 1.7.15.5 Penalty** (add new subsection)

A person failing to provide approved standby fire personnel (fire watch) or failing to carry out the duties of standby fire personnel is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this Section with civil penalties pursuant to title 24, "Civil Penalties," of the Howard County Code. A violation of this Section is a class A offense. Each day that a violation continues is a separate offense

**Section 1.8 Duties and Powers of the Incident Commander**

**Subsection 1.8.1** Authority The incident commander has the powers set forth in Section 17.105 of the Howard County Code.

**Subsection 1.8.2 through Section 1.8.5**

Delete these Sections.

**Section 1.9 Liability**

**Subsection 1.9.1** (Delete and substitute the following)

Delete "or incident commander" from the first sentence of this section.

**Subsection 1.9.2** (Delete and substitute the following)

Any suit brought against the AHJ or any other individual who is charged by the AHJ with the enforcement of this code because of an act or omission performed in the enforcement of this code or other pertinent law implemented through the enforcement of this code or enforced by the AHJ shall be defended by Howard County in accordance with Maryland law.

**Subsection 1.9.3**

Delete "the code enforcement agency or its parent jurisdiction" and substitute "the Howard County Department of Fire and Rescue Services or Howard County, Maryland".

**Section 1.10 Board of Appeals**

Delete this Section in its entirety.

## **Section 1.12 Permits and Approvals**

### **Subsection 1.12.1** (Add the following sentence at the end of this Section)

The AHJ may adopt regulations governing the issuance of any permit, certificate, or approval. Except for a permit required by a state or other county agency, any other permit requirements set forth in the NFPA 1 or the codes adopted in Chapter 2 of this code are deleted. A permit required by a state or other county agency shall be obtained and a permit required by the Howard County Department of Inspections, Licenses and Permits shall be obtained for construction, renovation, or alteration of any building, structure, area, or fire protection equipment.

### **Subsection 1.12.2 through Subsection 1.12.2.4**

Delete these Sections.

### **Subsection 1.12.5 through Section 1.12.20**

Delete these Sections.

## **Section 1.14 Plans Review**

### **Subsection 1.14.1** (Delete and substitute the following)

When requested by the Department of Inspections, Licenses, and Permits, the AHJ shall assist in the review of new construction, modifications, alterations, and the installation of equipment.

### **Subsection 1.14.2 through Section 1.14.5**

Delete these Sections.

## **Section 1.15 Technical Assistance**

### **Subsection 1.15.1.1** (add new subsection)

The AHJ may require review by an independent third party with expertise in the matter to be reviewed, at the person's expense, when

- (1) A person requests an equivalent method, alternative, or modification to a code requirement; or
- (2) There is insufficient evidence of compliance with the code on technical matters, uses, operations, or equipment.

## **Section 1.16 Notice of Violations and Penalties**

### **Subsection 1.16.1** (Delete and substitute the following)

Except as set forth in Subsection 1.16.1.1, if the AHJ determines that a violation of this code exists, the AHJ may issue a written notice to the property owner.

**Subsection 1.16.1.1** (add new subsection)

The AHJ may issue a citation for violations of Section 1.7.6, “Inspections”; Section 1.7.8, “Interference with Enforcement”; Section 1.7.9, “Impersonation”; Section 1.7.10, “Investigation”; Section 1.7.14 “Stop Work or Evacuation”; Section 1.7.15, “Standby Fire Personnel”; Section 4.4.3, “Means of Egress”; Sections 13.1.2, 13.1.7, and 13.1.12 (regarding fire protection systems); Section 14.4 “Means of Egress Reliability”, Subsection 20.1.4.8.3 (regarding exceeding occupancy limits) of Section 20.1.4.8 “Drills”; or Section 65.1.1 (regarding explosives, fireworks, and model rocketry), without issuance of a prior notice of violation. A violation of any of these Sections may be enforced by proceeding immediately with any of the legal remedies authorized by this code, including, without limitation, civil citations.

**Subsection 1.16.6** (add new subsection)

When there is any violation of this subtitle, this code, or any action taken under this code, the fire official may institute appropriate action to prevent, enjoin, abate, or remove the violation. Alternatively and in addition to and concurrent with all other remedies provided by law, the fire official may enforce this subtitle and this code by the use of civil penalties pursuant to Title 24, “Civil Penalties,” of the Howard County Code. A violation of this code is a Class C offense except as set forth below:

Section	Title	Class
1.7.6	Inspections	A
1.7.8	Interference with enforcement	A
1.7.9	Impersonation	A
1.7.10	Investigation	A
1.7.14	Stop work or evacuation	A
1.7.15	Standby fire personnel	A
4.4.3	Means of egress	A
13.1.2	Fire protection systems	A
13.1.7	Fire protection systems	A
13.1.12	Fire protection systems	A
14.4	Means of egress reliability	A
20.1.4.8.3	Of Subsection 20.1.4.8 “drills” (regarding exceeding occupancy limits)	A
65.1.1	Explosives, fireworks, and model rocketry	A

## **CHAPTER 2 Referenced Publications**

### **Section 2.1 General** (Delete and substitute the following)

The documents listed in this chapter are requirements of this code as if they were fully set forth in this code, except for the:

- (1) *NFPA 5000, Building Construction and Safety Code 2006 Edition*;
- (2) *NFPA 54, National Fuel Gas Code, 2006 Edition*; and
- (3) *NFPA 70, National Electric Code, 2005 Edition*.

#### **Subsection 2.1.1** (add new subsection)

Except for specific text extracted from NFPA 1, a reference in this code to “*NFPA 5000 Building Construction and Safety Code 2006 edition*” means the Howard County Building Code adopted in Title 3, Subtitle 1 of the Howard County Code.

#### **Subsection 2.1.2** (add new subsection)

Except for specific text extracted from NFPA 1, a reference in this code to “*NFPA 54, National Fuel Gas Code, 2006 Edition*” means the Howard County Plumbing and Gasfitting Code adopted in Title 3, Subtitle 3 of the Howard County Code.

#### **Subsection 2.1.3** (add new subsection)

Except for specific text extracted from NFPA 1, a reference in this code to “*NFPA 70 National Electrical Code, 2005 Edition*” means the Howard County Electrical Code adopted in Title 3, Subtitle 2 of the Howard County Code.

## **CHAPTER 3 Definitions**

### **Section 3.2 NFPA Official Definitions**

#### **Subsection 3.2.2** (Delete and substitute the following)

**Authority having jurisdiction (AHJ)** For the purposes of this code the authority having jurisdiction is the Howard County Department of Fire and Rescue Services.

#### **Subsection 3.2.6a** (add new subsection)

**May** “May” is permissive and discretionary. When this code states “the AHJ may require”, it indicates a requirement, provision, or practice that can be mandated by the AHJ depending upon the situation or circumstances.

### **Section 3.3 General Definitions**

#### **Subsection 3.3.2**

**Access Box** (At the end of this Section add the following)

The AHJ shall specify the type of box or device.

**Subsection 3.3.17a** (add new subsection)

**Barbecue grill** Equipment used for outdoor cooking that uses electricity, charcoal, liquid propane gas, natural gas, or other fuel for its heat source.

**Subsection 3.3.29a** (add new subsection)

**Bulkhead door** A type of door assembly covering an opening in the ground that provides direct access to a basement, the floor of which is not more than 8 feet below ground level. The door consists of either a single rigid leaf or two overlapping rigid leaves, or covers, that need to be pushed or lifted upward in order to be opened. After opening the door, a person can walk up a series of steps to escape to the outside. A bulkhead door is also called a hurricane door.

**Subsection 3.3.45.1 Building Code**

Delete “2.2” and substitute “2.1.1”.

**Subsection 3.3.45.2 Electrical Code**

Delete “2.2” and substitute “2.1.3”

**Subsection 3.3.45.3 Mechanical Code**

A reference in this code to the “mechanical code” means the mechanical code adopted pursuant to title 3, subtitle 1 of the Howard County Code.

**Subsection 3.3.45 Plumbing Code**

Delete “2.2” and substitute “2.1.2”.

**Subsection 3.3.68** (Delete and substitute the following)

**Cooking fire** Except for burning rubbish, trash, and debris, the residential burning of materials where the fuel burned is contained in an:

- (1) Outdoor fireplace, fire pit, barbeque grill, or other similar device used solely for the purpose of preparing food;
- (2) In-ground open fire pit used for cooking food that:
  - (a) Does not exceed two feet in diameter and one foot in the ground; and
  - (b) Is surrounded by a metal or noncombustible fire ring; and
- (3) In-ground earth-covered fire pit used for roasting food.

**Subsection 3.3.97a** (add new subsection)

**Festival seating** A form of audience spectator accommodation in which no seating, other than a floor or ground surface, is provided for the audience gathered to observe a performance.



**Subsection 3.3.106**

**Fire Department Access Road** (At the end of this Section add)

“A use-in-common driveway, access place road, or fire department apparatus access road serving more than one single family dwelling may be considered a fire department access road or fire lane.”

**Subsection 3.3.107**

**Fire Lane** (At the end of this Section add)

“A curb or roadway that is marked in accordance with the Howard County Code and rules and regulations adopted by the AHJ.”

**Subsection 3.3.111**

**Fireworks** (At the end of the last sentence insert)

“And are subject to the requirements of Chapter 65 of this code and the Maryland State Fire Prevention Code”.

**Subsection 3.3.139** (Delete and substitute the following)

**Imminent danger** A condition or practice in an occupancy, structure, site, or area that poses a danger that could reasonably be expected to cause death, physical injury, or damage to property.

**Subsection 3.3.148a** (add new subsection)

**Lock-up** Except in a detention or correctional occupancy, an area where occupants are restrained and mostly incapable of self preservation because of security measures that are not under the occupant’s control.

**Subsection 3.3.165.6**

Delete this Subsection.

**Subsection 3.3.165.7**

Delete “four or more”.

**Subsection 3.3.165.7a** (add new subsection)

**Family day-care home** A day-care home, generally within a dwelling unit, in which 8 or fewer clients receive care, maintenance, and supervision by an individual other than a relative or legal guardian for less than 24 hours per day.

**Subsection 3.3.165.7b** (add new subsection)

**Group day-care home** A day-care home, generally within a dwelling unit in which not less than 9, but not more than 12, clients receive care, maintenance, and supervision by an individual other than a relative or legal guardian for less than 24 hours per day.

**Subsection 3.3.165.7c** (add new subsection)

**Day-care center** A day care occupancy in which more than 12 clients receive care, maintenance, and supervision by an individual other than a relative or legal guardian, for less than 24 hours per day.

**Subsection 3.3.165.16** (Delete and substitute the following)

**Lodging or rooming house** A building or portion of a building that:

- (1) Does not qualify as a one- or two-family dwelling;
- (2) Provides sleeping accommodations for 6 or more people but not more than 16 people on a transient or permanent basis;
- (3) Does not provide personal care services;
- (4) May or may not provide meals; and
- (5) Does not have separate cooking facilities for individual occupants.

**Subsection 3.3.165.19**

Delete “not more than three” and substitute not more than five”.

**Subsection 3.3.165.22** (Delete and substitute the following)

**Residential board and care occupancy** A building or portion of a building that is used for lodging and boarding of six or more residents, not related by blood or marriage to the owner or operator, for the purpose of providing personal care services.

**Subsection 3.3.180a** (add new subsection)

**Person**

- (1) An individual, corporation, firm, partnership, association, organization, or any other group acting as a unit; or
- (2) An executor, administrator, trustee, receiver, or other representative appointed according to law.

**Subsection 3.3.197** (Delete and substitute the following)

**Recreational Fire** The outside open burning of any material for pleasure, religious, ceremonial, cooking, or similar purposes that is subject to the rules and regulations set forth by the AHJ.

## **CHAPTER 4 General Requirements**

### **Section 4.4 Fundamental Requirements**

**Subsection 4.4.3.1.4** (add new subsection)

Visual obscuration systems associated with security or burglar alarm systems are not permitted.

## **CHAPTER 10 General Fire Safety**

### **Section 10.1 Fundamental Requirements**

#### **Subsection 10.1.2.1** (add new subsection)

When provisions of the Life Safety Code (NFPA 101) conflict with this code, the requirements of this code shall apply.

#### **Subsection 10.1.5.1** (add new subsection)

The AHJ shall adopt regulations governing the use of candles, disposable and refillable cartridges, and other open flame decorative lighting.

### **Section 10.5 Building Evacuation**

#### **Subsection 10.5.1** (Delete and substitute the following)

Whenever a fire or emergency occurs in a building or there is a reason to believe a fire or emergency exists in a building, the building shall be immediately evacuated and may not be reoccupied without permission of the fire official in charge. If the building is provided with a manual fire warning system, a person who has knowledge of the fire or emergency shall activate the manual fire warning system. Complete evacuation is not required when alternative procedures have been detailed in a fire plan, including a plan to shelter in place that has been approved by the AHJ.

### **Section 10.10 Smoking**

#### **Subsection 10.10.5** (add new subsection)

In addition to the requirements set forth in this Section and requirements for specific occupancies as set forth in this code, the requirements of title 12, subtitle 6 of the Howard County Code shall apply.

### **Section 10.11 Open Fires, Incinerators, and Commercial Fireplaces**

#### **Subsection 10.11.1** (Delete and substitute the following)

Except for cooking and recreational fires that meet the requirements of Section 12.108 of the Howard County Code, open fires are prohibited.

#### **Subsection 10.11.1.1** (Delete and substitute the following)

Written permission shall be obtained from the AHJ for recreational fires. Written permission is not required for:

- (1) Cooking fires as defined in Section 3.3.68; or
- (2) Barbeque grills, luminaries, chimenas, firepits, or other devices that meet the requirements of Section 10.11.7

#### **Subsection 10.11.2 Open Fires**

#### **Subsections 10.11.1.3 and 10.11.1.4**

Delete these Subsections.

#### **Subsection 10.11.2.1** (Delete and substitute the following)

The AHJ shall adopt regulations governing the use of recreational fires.

**Subsections 10.11.2.2, 10.11.2.3 and 10.11.2.4**

Delete these Subsections.

**Subsection 10.11.3.**

Delete this Section.

**Subsection 10.11.7** (Delete and substitute the following)

Barbecue grills, hibachis, gas-fired grills, charcoal grills, chimenas, luminaries, firepits, or other similar devices used for cooking, heating, or any other purpose, shall not be used or kindled on a balcony, under an overhanging portion of a building or structure, or within 15 feet of a building or structure. The AHJ may approve electric grills that do not use an alternative fuel. Manufactured chimenas, luminaries, fire pits, and similar devices shall be equipped with spark arrestors and the fire area shall not exceed 3 feet in diameter and 2 feet in height.

**Section 10.12 Fire Protection Markings**

**Subsection 10.12.1.1** (Delete and substitute the following)

The owner of a structure shall display Arabic numbers designating the address assigned to the structure by the Howard County Department of Planning and Zoning. Numbers shall be at least three inches high for single-family detached and attached residences and six inches high for commercial, industrial, and multi-family structures. Numbers shall be posted on a contrasting background and displayed in a conspicuous place that is unobstructed and clearly visible from the street named in the official address of the structure. In addition to the numbers required on a structure, where the structure has more than one address or where more than one structure share a common entry or driveway, numbers shall designate the addresses in sequence on a sign posted at the entry or common driveway.

**Subsection 10.12.3.11** (add new subsection)

The AHJ may adopt additional regulations governing stairway marking.

**Section 10.13 Vacant Buildings and Premises**

**Subsection 10.13.4** (add new subsection)

A building or structure is a fire hazard if the building or structure or any portion of the building or structure is vacant and unsecured.

**Subsection 10.13.5** (add new subsection)

The AHJ may require all utilities to be disconnected in a vacant building or structure.

**Subsection 10.13.6** (add new subsection)

The AHJ may adopt additional regulations governing vacant structures.

## **Section 10.14 Combustible Vegetation**

### **Subsection 10.14.1** (Delete and substitute the following)

Except natural cut Christmas Trees, combustible vegetation shall be in accordance with the provisions of this code.

### **Subsection 10.14.1.1** (add new subsection)

Natural cut Christmas Trees shall be used in accordance with the guidelines of the Office of the Maryland State Fire Marshal or the AHJ.

### **Table 10.14.1**

Delete this table.

### **Subsection 10.14.10 Exterior Vegetation**

#### **Subsection 10.14.10.1** (Insert the following at the end of this Subsection)

In accordance with Section 17.106 of the Howard County Code.

## **Section 10.16 Outside Storage**

### **Subsection 10.16.1** (Delete and substitute the following)

Outside storage of combustible or flammable material shall not be located within 15 feet of a property line, building, or structure. The volume of material shall not exceed 2,500 cubic feet.

### **Subsection 10.16.1.1** (add new subsection)

The AHJ may require the area of outside storage be enclosed by a security fence at least six feet in height.

### **Subsection 10.16.1.2** (add new subsection)

Outside storage of flammable material which exceeds 2,500 cubic feet in volume shall meet the requirements in this code for the storage of the specific material.

### **Subsection 10.16.2**

Delete this Section.

### **Subsection 10.16.3** (Add the following at the end of this Subsection)

The separation distance may be increased where the AHJ determines that a higher hazard to the adjoining property exists.

## **Section 10.19 Combustible Materials**

### **Subsection 10.19.1** (Delete and substitute the following)

Combustible materials shall be stored:

- (1) 36 inches or more from heat producing equipment; or
- (2) In accordance with the manufacturer's recommendation.

### **Subsection 10.19.7 Fueled Equipment**

After "building", insert "or on a patio, balcony, or deck"

## **Chapter 11 Building Services**

### **Section 11.1 Electrical Fire Safety**

#### **Subsection 11.1.2.1** (add new subsection)

An electrical appliance, fixture, or consumer product shall not be sold or used unless it is clearly labeled, marked, or stamped with the symbol of an electrical testing laboratory that is certified by the Maryland Office of the State Fire Marshal.

#### **Subsection 11.1.2.2** (add new subsection)

A minimum clear space of 36 inches shall be maintained in front of all electrical service equipment. The clear space shall be maintained on all sides of the equipment if access to these areas is required. Where the electrical service equipment is wider than 36 inches, the working space shall not be less than the width of the equipment. Material shall not be stored within designated working spaces.

Exceptions:

(1) Where other dimensions are required or permitted by NFPA 70.

(2) Access openings in attics or under-floor areas which provide a minimum clear opening of 22 in by 30 in.

#### **Subsection 11.1.3**

Open electrical distribution panels, open junction boxes, and open wiring splices are prohibited. Approved covers shall be provided for all electrical panel boards, outlet boxes, switchboards, and junction boxes. Open wire splices are prohibited. Wire splices shall be made in a covered junction box. Exception: the AHJ may approve electrical equipment designed to be uncovered.

#### **Subsection 11.1.8 Door Marking** (add new subsection)

Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating “electrical room” or similar approved wording. The disconnecting means for each service, feeder, or branch circuit originating on a switchboard or panel board shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident.

### **Section 11.5 Heating Appliances**

#### **Subsection 11.5.2 Kerosene Burners and Oil Stoves**

##### **Subsection 11.5.2.4** (add new subsection)

Kerosene heaters are prohibited in the following occupancies: educational, daycare, hotels and motels, places of assembly, health care, board and care, rooming and lodging, multi-family residential, and other occupancies or situations where the use or operation of kerosene heaters could create an emergency or imminent danger.

## **Chapter 12 Features of Fire Protection**

### **Section 12.1 General** (At the end of this Section insert)

“It is the intent of this code that the building construction, fire protection, and life safety features be maintained by the owner as constructed”.

#### **Subsection 12.1.1** (add new subsection)

Missing ceiling tiles shall be replaced. Penetrations or openings in ceiling, wall, and floor assemblies shall be sealed to eliminate the possible spread of smoke or fire.

## **Chapter 13 Fire Protection Systems**

### **Section 13.1 General**

#### **Subsection 13.1.2**

Before “testing” insert “installation,”

#### **Subsection 13.1.3.1** (add new subsection)

Unless otherwise approved by the AHJ, a fire department connection for fire protection systems shall be:

- (1) Located on the side of the structure displaying the address;
- (2) Marked in the manner required by the AHJ; and
- (3) Located within 100 feet of a fire hydrant

.

#### **Subsection 13.1.4** (Delete and substitute the following)

Except for fire hydrants in a public right-of-way, a minimum clear space of 15 feet in diameter (7.5 feet on all sides) shall be maintained outside of a building or structure to permit access to and operation of fire protection equipment, fire department inlet connections, or fire protection system control valves. A minimum clear space of 3 feet shall be maintained on interior valves and equipment. An obstruction or condition that deters or hinders access by the AHJ is prohibited.

#### **Subsection 13.1.12 Tampering with a System** (add new subsection)

Except for a person performing installation, maintenance, and repair, a person shall not tamper with or render inoperable any fire protection or life safety system.

**Subsection 13.1.13 Penalties** (add new subsection)

A violation of either Section 13.1.7 or 13.1.12 is a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, or in addition to and concurrent with all remedies provided by law or equity, the fire official may enforce this Section with civil penalties pursuant to Title 24 of the Howard County Code. A violation of either Section is a class A offense. Each day that a violation continues is a separate offense.

**Section 13.2 Standpipe Systems**

**Subsection 13.2.2 Where required**

**Subsection 13.2.2.1** (Delete and substitute the following)

Where required by this code, the building code, or the referenced codes and standards listed in chapter 2, standpipe systems shall be installed in accordance with Section 13.2.1.

**Subsection 13.2.2.2**

Add the following at the end of this Subsection:

(5) In an automobile parking garage where the AHJ determines there is inadequate fire service access.

**Subsection 13.2.3 Inspection, Testing, and Maintenance**

**Subsection 13.2.3.2** (Add the following at the end of this Subsection) Standpipes do not have to be equipped with hose and nozzle for fire department use. However, if provided, the hose and nozzle shall be tested and maintained.

**Section 13.3 Automatic Sprinklers**

**Subsection 13.3.1.2** (Add the following at the end of this Subsection)

Exception: for new ceiling installations, drop out ceilings as referenced in NFPA 13, Subsection 8.14.13, are prohibited.

**Subsection 13.3.1.2.1** (add new subsection)

The AHJ may require doors to sprinkler control rooms be marked in an approved manner.

**Subsection 13.3.2 Where Required**

**Subsection 13.3.2.2** (Delete and substitute the following)

In a new nonresidential building, a basement that is 2,500 square feet or more shall be protected throughout by an approved automatic sprinkler system. In an existing nonresidential building, a basement exceeding 2,500 square feet shall contain an automatic sprinkler system when a life safety evaluation is completed and the AHJ determines based on the life safety evaluation that an imminent danger exists.



### **Subsection 13.3.2.5 New Assembly Occupancies**

#### **Subsection 13.3.2.5.2**

Delete “more than 300” and substitute “100 or more”.

#### **Subsection 13.3.2.5.3** (Delete and substitute the following)

The requirements of 13.3.2.5.2 shall not apply to the following:

- (1) An assembly occupancy that is less than 5,000 square feet in area and that has an occupant load of less than 100 persons;
- (2) A gymnasium, skating rink, or swimming pool that is less than 5,000 square feet in area and that is used exclusively for participant sports with audience facilities for less than 100 persons;
- (3) In an enclosed stadium or arena that is less than 5,000 square feet and that has an occupant load of less than 100 persons; or
- (4) In an unenclosed stadium or arena:
  - A. In press boxes containing less than 1,000 square feet in area;
  - B. In storage facilities containing less than 1,000 square feet in area if the area is enclosed with more than 1-hour fire resistance rated construction; or
  - C. In enclosed areas underneath a grandstand if the area is enclosed with more than 1-hour fire resistance rated construction.

### **Subsections 13.3.2.5.5.2 and 13.3.2.5.5.3**

Delete these Subsections.

### **13.3.2.6 Existing Assembly Occupancies**

#### **Subsection 13.3.2.6.1** (Add the following to the end)

- (6) In other existing places of assembly when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, an imminent danger exists.

#### **Subsection 13.3.2.6.2**

Delete “15,000” and substitute “5,000”.

#### **Subsection 13.3.2.6.5.4** (add new subsection)

The AHJ may require sprinklers for existing stages and under existing stages when the AHJ determines, based on a life safety evaluation, that an imminent danger exists.

**Subsection 13.3.2.7 through 13.3.2.16.6** (Delete and substitute the following)

**Subsection 13.3.2.7 New Educational, Health Care, Detention or Correction, Hotel, Dormitory, and Apartment Occupancies** A new educational occupancy, health care facility, detention or correctional facility, hotel, dormitory, or apartment building shall meet the requirements of the building code. The AHJ may require installation of an approved automatic sprinkler system in an existing educational occupancy, health care occupancy, detention or correction facility, hotel, dormitory, or apartment building when:

- (1) A life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an emergency, or imminent danger exists; or
- (2) Required by NFPA 101, life safety code.

**Subsection 13.3.2.17 Lodging and Rooming Houses**

**Subsection 13.3.2.17.1** (Delete and substitute the following)

Except as provided in Subsection 13.3.2.17.2, a new lodging or rooming house serving six or more residents shall be protected throughout by an approved automatic sprinkler system. An automatic sprinkler system may be required in an existing lodging or rooming house serving 6 or more residents when:

- (1) A life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an emergency, or imminent danger exists; or
- (2) Required by NFPA 101, life safety code.

**Subsection 13.3.2.17.2** (Delete and substitute the following)

In a building containing less than 5,000 square feet in gross floor area and designed for fewer than 6 residents, an automatic sprinkler system is not required where every sleeping room has a door opening directly

- (1) To the outside of the building at street or ground level; or
- (2) To the outside leading to an exterior stairway.

**Subsection 13.3.2.18**

Delete this Subsection.

**Subsection 13.3.2.19 New Residential Board and Care Occupancies**

**Subsection 13.3.2.19.1 Large Facilities**

**Subsection 13.3.2.19.1.1** (Delete and substitute the following)

A building with an occupant load of 6 or more residents shall be protected throughout by an approved automatic sprinkler system.

**Subsection 13.3.2.19.2 Small Facilities**

**Subsection 13.3.2.19.2.2** (Delete and substitute the following)

In a conversion, an automatic sprinkler system shall not be required in a board and care home that serves 5 or fewer residents when all occupants have the ability to move as a group to a point of safety within 3 minutes.

**Subsection 13.3.2.20 Existing Residential Board and Care Occupancies**

**Subsection 13.3.2.20.1.1** (Add the following at the end)

An automatic sprinkler system may be required in an existing facility when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, an imminent danger exists.

**Subsection 13.3.2.21 New Mercantile Occupancies**

**Subsection 13.3.2.21.1(2)** (Delete and substitute the following)

Throughout a new mercantile occupancy exceeding 5,000 square feet in gross area.

**13.3.2.22 Existing Mercantile Occupancies**

**Subsection 13.3.2.22.1** (Add new paragraph (5) as follows)

An automatic sprinkler system may be required in an existing mercantile occupancy when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, an imminent danger exists.

**Subsection 13.3.2.23 Underground and Windowless Structures** (Add (4) at the end as follows)

(4) the gross floor area is less than 5,000 square feet and has an occupant load of 50 or fewer persons.

**Subsection 13.3.2.23.1** (Add new subsection)

An automatic sprinkler system may be required in an existing underground or windowless structure when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, an imminent danger exists.

**Subsection 13.3.2.24.2.3** (Delete and substitute the following)

The AHJ shall determine a completion date for the installation of an approved automatic sprinkler system that does not exceed 12 years from the date of the approval of the intent to comply.

**Subsection 13.3.2.25 New and Existing Storage Occupancies**

Delete the title and substitute “New and Existing Storage Occupancies”.

**Subsection 13.3.2.25.2** (Delete this and substitute the following:

**General Storage.** An automatic sprinkler system shall be installed throughout all new storage occupancies with a gross floor area greater than 5,000 square feet.

**Subsection 13.3.2.25.2.1** (Add new Subsection as follows)

An automatic sprinkler system may be required in an existing storage occupancy when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an imminent danger exists.

**Subsection 13.3.2.25.5 Bulk Storage of Tires**

Delete “20,000” and substitute “5,000”.

**Subsection 13.3.2.27 New and Existing Day Care**

**Subsection 13.3.2.27.1** (Add new Subsection as follows)

An existing day care home with 12 or fewer clients is not required to be protected by an automatic sprinkler system.

**Subsection 13.3.2.27.2** (Add new Subsection as follows)

A new day care occupancy with more than 12 clients shall be protected throughout by an approved automatic sprinkler system.

**Subsection 13.3.2.27.3** (Add new Subsection as follows)

An automatic sprinkler system may be required in an existing day care occupancy serving more than 12 clients when a life safety evaluation is completed and the AHJ determines, based on the life safety evaluation, that an imminent danger exists.

**Subsection 13.3.3.3 Inspection, Testing and Maintenance**

**Subsection 13.3.3.3.1** (Add new Subsection as follows)

For new ceiling installations, drop out ceilings as referenced in NFPA 13, Subsection 8.14.13, are prohibited.

## **Section 13.4 Fire Pumps**

**Subsection 13.4.1.1.1** (Add new Subsection as follows)

Unless approved by the AHJ, fire pump components, including pumps, drivers, or controllers, shall not be installed in below-ground vaults or pits.

## **Section 13.6 Portable Extinguishers**

### **Subsection 13.6.1.1** (Delete and substitute the following)

Unless the AHJ approves an alternative feature or requirement that provides the same level of protection or fire safety as this code, the installation, maintenance, selection, and distribution of a portable fire extinguisher shall be in accordance with NFPA 10, *standard for portable fire extinguishers*, Section 13.6 and the Public Safety Article of the Annotated Code of Maryland.

## **Subsection 13.7 Detection, Alarm, and Communications Systems**

### **Subsection 13.7.1.4.7.6.1** (Add new Subsection as follows)

The AHJ shall approve any device installed to prevent false alarms that is added to a manual fire alarm box or pull station.

### **Subsection 13.7.1.4.8 Smoke Alarms**

#### **Subsection 13.7.1.4.8.6** (Add new Subsection as follows)

A single station or multiple station smoke alarm shall meet the requirements set forth in the public safety article of the Annotated Code of Maryland and the building code.

#### **Subsection 13.7.1.4.8.7** (Add new Subsection as follows)

Electrical installation: smoke alarms shall be installed and maintained in accordance with the electrical code and the most recently adopted edition of NFPA standard 72.

#### **Subsection 13.7.1.4.8.8 Owners Responsibility** (Add new Subsection as follows)

The owner or owner's agent shall install all smoke alarms and shall annually inspect and maintain all smoke alarms in accordance with the manufacturer's warranty and suggested maintenance. The owner or owner's agent shall maintain a record of the maintenance schedule. Upon notification by a tenant that a smoke alarm is missing or inoperative, the owner or owner's agent shall repair or replace the smoke alarm. Notification shall be given by certified mail and first-class mail. If the tenant personally notifies the owner or the owner's agent of a mechanical failure of a smoke alarm, the owner or owner's agent shall provide a written, dated receipt acknowledging the notification.

#### **Subsection 13.7.1.4.8.9 Removal/Inoperative**(Add new Subsection as follows)

A person shall not remove or render any smoke alarm inoperative.

#### **Subsection 13.7.1.4.8.10 Deposit** (Add new Subsection as follows)

Except for smoke alarms in a hotel or motel, an owner or owner's agent may require a tenant to pay a refundable deposit for smoke alarms, not to exceed the value of the smoke alarm.

**Subsection 13.7.1.4.8.11 Hearing Impaired** (Add new Subsection as follows)  
Deaf or hearing impaired occupancies. A dwelling unit occupied by a person who is deaf or hearing impaired shall be equipped with a smoke alarm that, when activated, shall provide a signal that is approved by a nationally recognized testing laboratory for electrical appliances and is sufficient to warn a deaf or hearing-impaired person. An owner or their agent shall provide this type of smoke alarm upon the written request of the deaf or hearing-impaired tenant.

**Subsection 13.7.1.4.8.12 Replacement** (Add new Subsection as follows)  
It is recommended that smoke alarms be replaced after 10 years of service.

**Subsection 13.7.1.4.9 Occupant Notification**

**Subsection 13.7.1.4.9.12** (Add new Subsection as follows)

Where the fire alarm system does not provide for emergency forces notification in accordance with Subsection 13.7.1.4.10, approved signs to provide instruction for emergency forces notification shall be provided and permanently affixed and maintained at each manual fire alarm box.

**Subsection 13.7.2 Where Required**

**Subsection 13.7.2.10 Existing Hotels and Dormitories**

**Subsection 13.7.2.10.2.1** (Add the following at the end of this Subsection) Single station smoke alarms shall be hard-wired directly to the building's power supply. Individual guestroom alarms shall not be connected to the building alarm system.

**Subsection 13.7.2.10.2.2**

(1) After "permitted" insert "in hotels and dormitories built prior to July 1, 1990 and

(2) At the end of this Subsection add "in a hotel, motel, or dormitory built after July 1, 1990, smoke alarms shall have an integral battery backup power supply or an approved emergency power supply".

**Subsection 13.7.2.10.2.3** (Add new Subsection as follows)

Except in a building protected by an automatic sprinkler system, smoke alarms are required in an interior corridor serving a guestroom of a hotel, motel, or dormitory. These alarms shall be connected to the building alarm system.

**Subsection 13.7.2.10.2.4** (Add new Subsection as follows)

Single station smoke alarms shall be installed in each sleeping area of a hotel, motel, or dormitory. Single-station smoke detectors shall be hard-wired directly to the building's power supply. Smoke alarms shall be installed in every room through which a person must pass to get from the sleeping area to the door leading from the guestroom or suite. Individual guestroom alarms shall not be connected to the building's alarm system.

**Subsection 13.7.2.10.2.5** (Add new Subsection as follows)

A hotel or motel shall have available at least one smoke alarm for the deaf or hearing impaired for each 50 units (or portion thereof). The owner or owner's agent of the hotel or motel may require a refundable deposit, not to exceed the cost of the smoke alarm, for the use of a deaf or hearing impaired smoke alarm. The owner or owner's agent of a hotel or motel shall post, in a conspicuous place at the registration desk or counter, a permanent sign stating the availability of smoke alarms for the hearing impaired.

**Subsection 13.7.2.12 Existing Apartment Buildings**

**Subsection 13.7.2.12.5** (Add new Subsection as follows)

A dwelling unit in a multifamily residential building shall meet the following requirements:

- (1) A unit built before January 1, 1989, shall have smoke alarms hard-wired to the building's power supply.
- (2) A unit built between January 1, 1989 and July 1, 1990, shall meet the requirements of paragraph 1, and, except in an attic, smoke alarms shall be installed on each level of a multilevel individual dwelling unit, including in a basement. All smoke alarms shall be interconnected so that all will sound if one smoke alarm is activated.
- (3) A unit built after July 1, 1990, shall meet the requirements of paragraph 1 and 2 and smoke alarms shall have an integral battery backup power supply.
- (4) A unit built after October 10, 2001, shall meet the requirements of paragraph 1, 2, and 3 and smoke alarms shall be placed in each sleeping area.

**Subsection 13.7.2.13 Lodging and Rooming Houses**

**Subsection 13.7.2.13.2.3** (Delete and substitute the following)

In lodging and rooming houses built prior to July 1, 1990, smoke alarms shall be hard wired to the building's power supply. In lodging and rooming houses built after July 1, 1990, smoke alarms shall have an integral battery backup power supply or an approved emergency power supply.

**Subsection 13.7.2.13.2.4** (Add new Subsection as follows)

Except in a building protected by an automatic sprinkler system, smoke alarms are required in an interior corridor serving rooms of lodging and rooming houses. These alarms shall be connected to the building fire alarm.

**Subsection 13.7.2.14 One and Two Family Dwellings**

**Subsection 13.7.2.14.4** (At the end of the Subsection add the following

Exceptions:

- (1) In a one-family or two-family dwelling built before July 1, 1982, smoke alarms shall be battery operated or hard-wired directly to the building's power supply.
- (2) In a one-family or two-family dwelling built between July 1, 1982 and January 1, 1989, smoke alarms shall be hard-wired directly to the building's power supply.
- (3) In a one-family or two-family dwelling built between January 1, 1989 and July 1, 1990, smoke alarms shall be hard-wired directly to the building's power supply. Except in the attic, smoke alarms shall be installed on each level including a basement and sleeping area. All smoke alarms shall be interconnected so all will sound if one is activated.
- (4) In a one-family and two-family dwelling built after July 1, 1990, smoke alarms shall meet the requirements of paragraph 3 above and shall have an integral battery backup power supply.
- (5) A one-family and two-family dwelling built after October 10, 2001, shall meet requirements of paragraph 4 above and one smoke alarm shall be placed in each sleeping room.

**Chapter 14 Means of Egress**

**Section 14.5 Doors**

**Subsection 14.5.3 Special Locking Arrangements**

**Subsection 14.5.3.3.5 Lock-ups** (Add new Subsection as follows)

In lockups, as referenced in Section 22.4.5.1.4 of NFPA 101 life safety code, the release time for doors or other physical restraints shall not exceed 30 seconds.

**Chapter 16 Safeguards During Building Construction, Alterations, and Demolition Operations**

**Section 16.2 Processes and Hazards**

**Subsection 16.2.2.2** (Delete and substitute the following)

Trash, debris, rubbish, and building materials shall not be burned on the premises.



## **Chapter 18 Fire Department Access and Water Supply**

### **Section 18.1 General**

#### **Subection 18.1.1 Plans**

##### **Subsection 18.1.1.1**

Delete “fire department” and substitute “AHJ”.

##### **Subsection 18.1.1.2**

Delete “fire department” and substitute “AHJ”.

### **Section 18.2 Fire Department Access**

#### **Subsection 18.2.2 Access to Structures**

##### **Subsection 18.2.2.1** (Add the following at the end of this Subsection)

The type of access box or system shall be specified by the AHJ.

#### **Subsection 18.2.3 Fire Department Access Roads**

##### **Subsection 18.2.3.1.1.1** (Add new Subsection as follows)

The AHJ may adopt regulations governing the creation of public or private fire lanes and fire department access roads.

##### **Subsection 18.2.3.2 Access to Buildings**

##### **Subsection 18.2.3.2.1** (Delete and substitute the following)

Unless otherwise approved by the AHJ, a fire department access road shall extend to within 150 feet of an exterior door that:

- (1) Is acceptable to the AHJ; and
- (2) Provides access to the interior of the building.

##### **Subsection 18.2.3.2.1.1**

Delete this Subsection.

##### **Subsection 18.2.3.2.2** (Delete and substitute the following)

A fire access road shall be located less than 150 feet from any portion of a facility, structure, or building or from an exterior wall of the first story of a facility, structure, or building. The distance shall be measured by an approved route around the exterior of the facility, structure, or building. The AHJ may approve an access road greater than 150 feet from a facility, structure, or building or from the exterior wall of the first floor of a facility, structure, or building upon finding that the distance would provide the same level of fire safety as would compliance with this Subsection.

##### **Subsection 18.2.3.2.2.1** (Delete and substitute the following)

If approved by the AHJ, the distance may be increased to 450 feet when a building, facility, or structure is protected with an approved automatic fire sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R

**Subsection 18.2.3.3.1** Add new Subsection as follows:

Multiple access roads may be required when a development contains more than 100 residential units.

**Subsection 18.2.3.4 Specifications**

**Subsection 18.2.3.4.1.1** (Delete and substitute the following)

Except for use-in-common driveways and access place roads and except as approved by the AHJ, fire department access roads shall have an obstructed width of not less than 20 feet. Use-in-common and access place roads shall comply with the Howard County design manual.

**Subsection 18.2.3.4.2** (Add the following to the end of the Subsection)

The access road surface shall be approved by the AHJ.

**Subsection 18.2.3.4.6** (Delete and substitute the following)

Grade The maximum allowable grade is 15% with the durable and sustained grade of 8%. The transition from the road to the driveway shall not exceed 8%.

**Subsection 18.2.3.5 Marking of Fire Apparatus Access Roads**

**Subsection 18.2.3.5.3** (Add new Subsection as follows)

The AHJ may require and designate public or private fire lanes or fire department access roads in accordance with Section 21.325 of the Howard County Code. The property owner shall comply with the regulations set forth by the AHJ. The property owner shall mark and maintain the fire lane markings in accordance with specifications provided by the AHJ.

**Subsection 18.2.4 Obstruction and Control of Fire Department Access Roads**

**Subsection 18.2.4.1.5** (Add new Section as follows)

Use in common driveways, access place roads, or roads with similar names that provide access to structures may be considered a fire department access road.

**Section 18.3 Water Supplies and Fire Hydrants**

**Subsection 18.3.4.1** (Add new as follows)

Private fire hydrants shall be painted yellow.

**Subsection 18.3.5**

After “maintained” insert “once every two years”.

## **Chapter 20 Occupancy Fire Safety**

### **Section 20.1 Assembly Occupancies**

#### **Subsection 20.1.3 Special Amusement Buildings**

##### **Subsection 20.1.3.9** (Add new Subsection as follows)

A temporary special amusement occupancy or attraction that is occupied for less than 60 days, including, but not limited to, a haunted house, maze, or special amusement, shall meet the requirements set forth by the AHJ and this code.

#### **Subsection 20.1.4 Operating Features**

##### **Subsection 20.1.4.2.4(3)** (Delete and substitute the following)

Open flame devices and candles shall comply with regulations adopted by the AHJ.

##### **Subsection 20.1.4.2.4** (Add the following to the end of this Subsection)

(6) The use of portable cooking and warming devices may be subject to additional requirements of the AHJ.

##### **Subsection 20.1.4.3 Open Flame Devices and Pyrotechnics** (Add the following to the end of this Subsection)

(7) open flame devices and pyrotechnic displays shall be approved by the AHJ. A permit shall be obtained from the Office of the State Fire Marshal for pyrotechnic displays.

##### **Subsection 20.1.4.5.4.12 Vehicles** (Add at the end of the first sentence)

“And shall meet any additional regulations adopted by the AHJ.”

#### **Subsection 20.1.4.6 Crowd Managers**

##### **Subsection 20.1.4.6.2** (Delete and substitute the following)

The crowd manager shall receive training, approved by the AHJ, in crowd management techniques.

**Subsection 20.1.4.8 Drills** (Responsibilities prior to and during an event)

**Subsection 20.1.4.8.3** (Delete and substitute the following)

When the code official finds an overcrowded condition, obstruction in or to the means of egress, a locked exit door, or any other hazard to life safety, the event shall be stopped until the situation is corrected. The crowd manager, supervisor, and owner shall ensure that the number of patrons in the occupancy (building, structure, site, or area) does not exceed the posted occupant load.

The responsible person in charge of the assembly occupancy shall:

- (1) Immediately prior to the beginning of the event point out the number and location of exits;
- (2) State or display the following: "NOTICE" For your safety, look for your nearest exit. In case of an emergency—walk, do not run, to that exit" which shall be stated or displayed in one of the following methods:
  - A. An oral announcement at the beginning of the event;
  - B. Showing the notice on the motion picture screen;
  - C. Printing the notice in bold letters not less than 1/4 inch in height on the back of the event program (nothing but the notice shall be placed on the back of the program); or
  - D. Having a fixed sign or signs displaying the notice that can be easily read from each point in the assembly room;
- (3) Make an inspection before the event to verify that the doors are unlocked and that the means of egress are free of obstructions;
- (4) Correct any deficiencies found prior to the start of the event; and
- (5) Prevent overcrowding by blocking admittance of any person beyond the posted occupant load.

**Subsection 20.1.4.9 Smoking**

**Subsection 20.1.4.9.2** (Delete and substitute the following)

In rooms or areas where smoking is prohibited, visible signs shall be posted in accordance with Section 12.606 of the Howard County Code.

**Subsection 20.1.4.10 Seating**

**Subsection 20.1.4.10.2.4** Add new Subsection as follows:

Unless the building is an assembly occupancy, festival seating is prohibited within a building:

- (1) Having an occupant load of less than 250 persons; or
- (2) Where the occupant load is 250 persons or greater and a life safety evaluation has been approved by the AHJ.

**Subsection 20.1.4.10.3 Occupant Load Posting****Subsection 20.1.4.10.3.1** (Delete and substitute the following)

Each place or area of assembly shall be posted with an approved legible sign in contrasting colors and conspicuously located near the main exit from the room or space stating the maximum number of occupants permitted within the space. The posting location shall be determined by the AHJ. The maximum number of occupants shall be determined in accordance with the most recently adopted edition of the NFPA life safety code. An assembly room or space, which has a multiple-use capacity, shall be posted for all uses. The owner or manager of the occupancy shall install and maintain the signs. Signs shall be supplied by the AHJ.

**Subsection 20.1.4.10.3.2**

Delete this Subsection.

**Subsection 20.1.4.10.3.3**

Delete this Subsection.

**Subsection 20.3.3 Day Care Homes****Subsection 20.3.3.1.1** (Delete and substitute the following)

A family day-care home shall meet the following requirements:

- (1) The family day-care home shall not serve more than 8 clients;
- (2) A child shall be counted as a client served if the child:
  - A. Is under the age of 2 years; and
  - B. Is the child of the day-care home owner or operator, or of an employee of the family day-care home;
- (3) There shall not be more than 4 children under the age of 2 years; and
- (4) For children under the age of 2 years, an adult to child ratio of at least 1 adult to every 2 children shall be maintained at all times.

**Subsection 20.3.3.1.1.1** (Add new Subsection as follows)

A group day-care home shall meet the following requirements:

- (1) The home shall not serve more than 12 clients;
- (2) A child shall be counted as a client served if the child:
  - A. Is under the age of 2 years; and
  - B. Is the child of the day-care home owner or operator, or of an employee of the group day-care home;
- (3) There shall not be more than 4 children under the age of 2 years;
- (4) The minimum staff to client ratio shall not be less than 2 staff for up to 12 clients or 1 adult for every 6 children; and
- (5) For children under the age of 2 years, an adult to child ratio of at least 1 adult to every 2 children shall be maintained at all times.

**Subsection 20.3.3.1.7** (Add new subsection as follows)

A day-care center is governed by the requirements for an educational occupancy if it provides day care for school-age children before and after school hours and provides care in a building which is in use as a public or private school.

**Subsection 20.3.3.2 Operating Features**

**Subsection 20.3.3.2.1.1** (Add new subsection as follows)

A bulkhead door shall not be a primary means of escape.

**Subsection 20.3.3.2.1.2** (add new subsection as follows)

A sliding door used as a required means of egress shall meet the following requirements:

- (1) The sliding door shall have only one easily operated locking device that does not require special knowledge, effort, or tools to operate;
- (2) There shall not be draperies, screens, or storm doors that could impede egress;
- (3) The sill or track height may not exceed ½ inch above the interior finish floor;
- (4) The surface onto which an exit is made shall be an all-weather surface, such as a deck, patio, or sidewalk;
- (5) The floor level outside the door may be one step lower than the inside, but not more than 8 inches lower;
- (6) The sliding door shall be open to a clear open width of at least 28 inches;
- (7) Each day before day-care use, the sliding door shall be unlocked and tested to the full required width; and
- (8) During periods of snow or freezing rain, the door track shall be cleared out and the door opened periodically throughout the day in order to ensure proper operation.

**Subsection 20.3.3.2.1.3** (Add new subsection as follows)

A deadbolt lock shall be provided with an approved interior latch, or a deadbolt lock shall be of a captured key design from which the key cannot be removed from the interior side of the lock when in the locked position. The lock shall be unlocked at all times when the home is occupied for the family day-care use, except that a double keyed, deadbolt lock may be used on the secondary means of egress if the key is readily accessible and the lock is unlocked when the day-care is in operation.

**Subsection 20.3.3.2.3.4 Furnishings and Decorations**

**Subsection 20.3.3.2.3.4.1** (At the end of this Section insert)

“Except in day care homes”

**Subsection 20.3.3.2.3.4.5 Day Care Staff** (Insert the following at the end of this subsection)

“Except in day care homes with not more than three clients for overnight lodging.”

## **Chapter 25 Grandstands and Bleachers, Folding and Telescopic Seating, Tents, and Membrane Structures**

### **Section 25.2 Tents**

#### **Subsection 25.2.2 Flame Propagation Performance**

**Subsection 25.2.2.1** (Insert at the end of this Subsection)

“Or other approved testing standard approved by the State Fire Marshal or the AHJ”.

## **Chapter 27 Manufactured Homes and Recreational Vehicle Sites**

**Subsection 27.1.1** (Delete and substitute the following):

The fire safety requirements for the installation of a manufactured home and a manufactured home site, including an accessory building, structure, and community, shall comply with NFPA 501A, Section 27.1 of this code, and Title 16, Subtitle 5 of the Howard County Code.

## **Chapter 31 Forest Products**

#### **Subsection 31.3.6.2 General**

**Subsection 31.3.6.2.2** (add new paragraph 9 after paragraph 8 as follows)

A pile containing leaves and other extraneous or hogged material, such as a whole tree chip pile, shall be turned or reclaimed every three months.

#### **Subsection 31.3.6.3 Pile Protection**

**Subsection 31.3.6.3.1** (Delete this Section and substitute the following)

Piles may not exceed 18 feet in height, 50 feet in width, and 350 feet in length. Two piles shall be divided by a fire lane having at least 25 feet of clear space at the base of the pile.

#### **Subsection 31.3.6.3.2**

Delete this Subsection.

#### **Subsection 31.3.6.3.2.1**

Delete this Subsection.

#### **Subsection 31.3.6.3.2.2**

Delete this Subsection.

#### **Subsection 31.3.6.3.2.3**

Delete this Subsection.

## **Chapter 33 Outside Storage of Tires**

### **Section 33.1 General**

**Subsection 33.1.2** (Delete and substitute the following)

Where required, a permit for outside storage shall be obtained from the Maryland Department of the Environment. Storage of 500 tires or more shall be approved by the AHJ.

**Subsection 33.1.12** (Add new Subsection as follows)

The AHJ may require a security fence around the tire storage area.

**Subsection 33.1.13** (Add new Subsection as follows)

The storage of less than 500 tires shall meet the following requirements:

- (1) Tires shall not be stored in vertical stacks;
- (2) Storage piles shall not exceed 10 feet in height;
- (3) Storage piles shall not be larger than 1,250 cubic feet; and
- (4) Tires shall be separated from the property line, buildings, structures, or other exposures by a minimum of 25 feet.

### **Subsection 33.2 Individual Piles**

#### **Subsection 33.2.2.3**

Delete “20 ft (6m)” and substitute “10 ft”

## **Chapter 42 Refueling**

### **Subsection 42.2.7.5 Operating Requirements for Unattended Self-Service Motor Fuel Dispensing Facilities**

**Subsection 42.2.7.5.1** (Add new Subsection as follows)

The following information shall be conspicuously posted in a location approved by the AHJ:

- (1) The address of the unattended self-service facility; and
- (2) The telephone number of the owner or operator of the unattended self-service facility.

**Subsection 42.2.7.5.7** (Add new Subsection as follows)

An owner, manager, or employee shall conduct a daily site visit to ensure that all equipment is operating properly.

**Subsection 42.2.7.5.8** (Add new Subsection as follows)

Add new Subsection 42.2.7.5.8 after Subsection 42.2.7.5.7 as follows:

An owner, manager, or employee shall conduct inspections and maintenance of equipment at regular intervals.



**Subsection 42.2.7.5.9** (Add new Subsection as follows)

Fuel dispensing equipment shall comply with one of the following:

- (1) The amount of fuel being dispensed is limited in quantity by a pre-programmed card; or
- (2) The dispensing device shall be programmed or set to limit uninterrupted fuel delivery of not more than 25 gallons and shall require manual action to resume continued delivery.

**Chapter 50 Commercial Cooking Equipment**

**Section 50.1 Application**

**Subsection 50.1.5** (Add new Section as follows)

A commercial outdoor cooking operation, including, but not limited to, an operation taking place under a canopy or tent-type structure at a fair, festival, or carnival, shall meet the requirements set forth by the AHJ.

**Chapter 60 Hazardous Materials**

**Section 60.1 General Requirements**

**Subsection 60.1.1.1.1** (Add new Section as follows)

Except as provided in Section 65.1.1.1 of this code, in addition to this code the requirements of the public safety article of the Annotated Code of Maryland, shall apply.

**Chapter 65 Explosives, Fireworks, and Model Rocketry**

**Section 65.1 General**

**Subsection 65.1.1** (Delete and substitute the following):

Except as provided in Subsections 65.1.1.1, 65.1.3, 65.1.4, and 65.1.5 of this code, the storage, use, and handling of explosives, firework, or model rocketry shall comply with the requirements of this chapter, NFPA standards referenced within this chapter, Section 60.1 and Section 60.2 of this code, and the requirements set forth in the public safety article of the Annotated Code of Maryland.

**Subsection 65.1.1.1** (Add new Section as follows)

Unless the possession or discharge of the device is conducted under a permit issued by the state fire marshal in accordance with the permit's terms and subject to inspection and monitoring by the Howard County department of fire and rescue services, a person shall not possess, store, offer for sale, expose for sale, sell, use, burn, discharge, or explode a ground-based sparkling device, including but not limited to, non-aerial, non-explosive cone fountains, and cylindrical fountains.

**Section 65.1.3** (Add new Section as follows)

Howard County police officers may enforce Section 65.1.1.1 of this code.

**Subsection 65.1.4** (Add new Section as follows)

A person possessing, selling, or discharging illegal fireworks, explosives, or model rocketry shall forfeit the same to the AHJ. The AHJ may seize illegal fireworks, explosives, or model rocketry. The AHJ shall adopt regulations for the seizure and safe disposal of fireworks, explosives, and model rocketry.

**Subsection 65.1.5 Penalties** (Add new Section as follows)

A person who possess, sells, or discharges illegal fireworks, explosives, or model rocketry or fails to surrender illegal fireworks, explosives, or model rocketry to the AHJ is guilty of a misdemeanor and, upon conviction, is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 30 days or both. Alternatively, and in addition to and concurrent with all remedies provided at law or equity, a fire official may enforce this Section with civil penalties pursuant to title 24, "Civil Penalties," of the Howard County Code. A violation of this Subsection is a class A offense. Each day that a violation continues is a separate offense.

**Chapter 66 Flammable and Combustible Liquids**

**Subsection 66.2.5 Operations and Maintenance of Tanks**

**Subsection 66.2.5.5 Temporary or Permanent Removal from Service of Underground Tanks**

**Subsection 66.2.5.5.1.1** (Add new Section as follows)

The removal of an underground tank shall be approved by the maryland department of the environment and the department of inspections, licenses and permits. Once removed from the ground, tanks shall be removed from the site within 24 hours.

**Chapter 69 Liquefied Petroleum Gases and Liquefied Natural Gases**

**Section 69.1 General Provisions**

**Subsection 69.1.1.1.1** (Add new Section as follows)

Unless otherwise approved by the AHJ, containers and first-stage regulating equipment shall be located outside a building or shall be used:

- (1) Temporarily for demonstrations where the container has a maximum water capacity of 12 pounds (nominal 5 pounds lp-gas capacity); or
- (2) With a completely self-contained gas hand torch or similar equipment and the container has a maximum water capacity of 2 ½ pounds (nominal 1 pound lp-gas capacity).

**Subsection 69.1.1.1.2** (Add new Section as follows) A cylinder shall not be stored on a balcony of a multi-family residential unit.

**Subsection 69.1.1.1.3** (Add new Section as follows)

Add new Subsection 69.1.1.1.3 after Subsection 69.1.1.1.2 as follows:

Cylinders connected to a temporary heating device in a building under construction or being renovated shall be located outside the building and secured in a manner approved by the AHJ. An extra cylinder stored on a construction site shall not be within 15 feet of a structure and shall be secured in manner approved by the AHJ.

***Section 3. And be it further enacted*** by the county council of Howard County, Maryland, that *this act shall become effective 61 days after its enactment.*

## Section 17.105 Unsafe Structures.

(a) *Definitions:* For the purpose of this section, the following terms are defined as follows:

- (1) *Emergency:* A fire, explosion, medical condition, or other hazard that poses an immediate threat to life or property.
- (2) *Fire official:* The Chief of the Department of Fire and Rescue Services, or the chief's designee, is a fire official for the purpose of this section.
- (3) *Imminent danger:* A condition or practice in an occupancy, structure, or area that poses a danger that could reasonably be expected to cause death, physical injury, or damage to property.

(b) *Power to Abate.* Where there is evidence that an emergency exists, the fire official is authorized to summarily abate the emergency and to maintain order at the scene until the emergency is abated and persons and property are secured.

(c) *No Liability for Trespass:* Without liability for trespass, when there is evidence that an emergency or imminent danger exists an authorized fire official may enter any building, including private dwellings, or any premises at or in the vicinity of the scene of the emergency or imminent danger for the purpose of abating the emergency, including a medical emergency, or imminent danger.

(d) *Evacuation:* Authorized fire officials, when operating at an emergency or imminent danger, may:

- (1) Order any individual to evacuate any building, premises or area, including a private dwelling, at or in the vicinity of an emergency or imminent danger for the purpose of protecting a person and the public from injury.
- (2) Order any convoy, caravan or train of vehicles, craft, or railway cars to be detached or uncoupled for the purpose of protecting persons, the public, and property.

(e) *Unsafe Buildings:*

- (1) A building or structure that constitutes an emergency or imminent danger shall be posted by the fire official as an unsafe building or structure and occupancy shall be prohibited until the fire official determines that the emergency or imminent danger is abated. The fire official may adopt procedures to implement this section.
- (2) A building or structure that is unsafe because of structural damage from any cause shall be posted as unsafe in accordance with the procedures set forth in the Howard County Building Code or pursuant to procedures adopted by the fire official.
- (3) The owner of a building or structure that has been posted as unsafe is responsible for securing the unsafe building or structure to prevent occupancy.
- (4) The fire official may require all utilities to be disconnected in an unsafe building or structure.

(f) *Penalties*: An individual failing to obey any order given by a fire official when acting pursuant to this section is guilty of a misdemeanor and, upon conviction, is subject to a fine, not exceeding \$1,000, or imprisonment, not exceeding 30 days, or both. Alternatively, or in addition to and concurrent with all remedies at law or at equity, a fire official may enforce the provisions of this section with civil penalties pursuant to Title 24, "Civil Penalties," of the Howard County Code. A violation of this section is a Class A offense.

## **Section 17.106 Rubbish, Debris, Noxious Weeds Declared to be a Nuisance.**

(a) *What Constitutes a Public Nuisance*: Except for weeds, brush and grass on land actively devoted to agricultural or conservation uses, the following are declared a public nuisance: Rubbish, trash, dry brush, noxious weeds or grass exceeding 12 inches in height, or debris or other material of a flammable nature which creates or tends to create a fire hazard endangering life or property or which may interfere with emergency operations or endanger fire service personnel.

(b) *Unlawful to Permit Public Nuisance* : It shall be unlawful for anyone to permit a public nuisance listed in subsection (a) to remain on any lot or parcel of ground.

(c) *Removal; Notice*: The director of fire and rescue services shall send a notice by registered or certified mail to the owner of any lot or parcel of ground where the director determines that a public nuisance exists. The notice shall:

- (1) Require the property owner to abate the nuisance within 10 days;
- (2) State that if the nuisance is not abated within 10 days, the county may abate the nuisance at the expense of the property owner.

(d) *Extension*. If the property owner is unable to comply with a notice within 10 days after its receipt, the property owner shall submit a request for an extension of time. Upon receipt of the request, the fire official may grant an extension of time, not to exceed 90 days. The request for an extension shall:

- (1) Be submitted to the fire official; and
- (2) State the reasons for the request.

(e) *Penalties*.

- (1) A person who fails to comply with a notice issued by the fire official is guilty of a misdemeanor and, upon conviction, is subject to a fine, not exceeding \$1,000, or imprisonment, not exceeding 30 days, or both. Alternatively, or in addition to and concurrent with all other remedies at law or at equity, the Department of Fire and Rescue Services may enforce the provisions of this section with civil penalties pursuant to Title 24, "Civil Penalties" of the Howard County Code. A violation of this section is a Class C offense.

- (2) The fire official may bring action in court to enforce compliance with an order to comply with this subtitle or to correct a nuisance.
- (3) If a person refuses or fails to comply with the provisions of this subtitle or to correct a nuisance within the time specified in the notice of violation, the fire official may petition the court for an order permitting entry upon the property to abate the violation or correct the nuisance at the owner's expense.

## **Section 17.107 False Emergency Alarms.**

- (a) *Definitions:* For purposes of this section, the following definitions shall apply:
  - (1) *Alarm system:* An automatic fire alarm system.
  - (2) *Alarm system contractor:* A person who installs, maintains, monitors, alters, or services an alarm system. An alarm system contractor does not include a person who only manufactures or sells alarm systems.
  - (3) *Alarm user:*
    - (i) A person in control of an alarm system within, on, or around any building, structure, facility, or site; or
    - (ii) The owner or lessee of an alarm system.
  - (4) *False alarm:* A request for immediate assistance from the Department of Fire and Rescue, regardless of the cause of the request, that is not in response to an actual emergency situation.
    - (i) A false alarm shall include:
      - a. A negligently or accidentally activated signal;
      - b. A signal that is activated as the result of faulty, malfunctioning, or improperly installed or maintained equipment; or
      - c. A signal that is purposely activated in a nonemergency situation.
    - (ii) A false alarm shall not include:
      - a. A signal activated by unusually severe weather conditions or other causes beyond the control of the alarm user or alarm system contractor; or
      - b. A signal activated within 30 days after a new installation of an alarm system.
  - (5) *Signal:* The activation of an alarm system that requests a response by the Department of Fire and Rescue Services.
- (b) *Intentional Activation.* A person shall not intentionally activate a signal for a non emergency situation. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, is subject to a fine, not exceeding \$1,000, or imprisonment, not exceeding 30 days, or both. In addition to and concurrent with all other remedies provided by law or equity, the Department of Fire and Rescue Services may enforce this section by civil remedies pursuant to Title 24, "Civil Penalties" of the Howard County Code. A violation of this section is a Class A Offense.

(c) *Negligent or Accidental Activation.* The Department of Fire and Rescue Services may issue a civil citation, pursuant to Article 24 "Civil Penalties" of the Howard County Code, to a person for the negligent or accidental activation of an alarm system. A violation of this subsection shall be a Class C offense. The negligent or accidental activation of an alarm system shall be a result of faulty, malfunctioning, or improperly installed or maintained equipment or for a false alarm if the number of activations of false alarms to which the Department of Fire and Rescue Services Responds exceeds:

- (1) Three responses within a 30-day period; or
- (2) Eight responses within a 12-month period.

## **Section 17.108 Option to Install Residential Automatic Sprinkler Systems**

(a) *Option to Buyer.* A seller of a new single family dwelling shall offer the initial buyer an option to install a residential automatic sprinkler system. At the time of signature of the real estate sales contract the buyer shall acknowledge receipt of the disclosure information required in subsection (b) of this section and shall indicate whether the buyer intends to exercise the option to install a residential automatic sprinkler system to improve the life safety of the occupant and to reduce property damage from fire.

(b) *Disclosure of Information.* At the time of signature of a real estate sales contract, a seller shall give the initial buyer information regarding a residential automatic sprinkler system on a form provided by the Department of Fire and Rescue Services. A seller shall disclose the estimated cost of installing a residential automatic sprinkler system to a buyer.

(c) *Notice.* After signature of a real estate sales contract and prior to the issuance of a permit for the construction of a new single family dwelling, a seller shall notify the Department of Inspections, Licenses and Permits, with a copy to the Department of Fire and Rescue Services, that the seller complied with the requirements of subsections (a) and (b) of this section. The notification shall be on a form provided by the Department of Fire and Rescue Services.

(d) *Penalty for Failure to Provide Option and Notice.* Failure to offer the buyer the option to install an automatic sprinkler system, or failure to provide the required notification to the Department of Inspections, Licenses and Permits is cause to withhold the issuance of the building permit for the dwelling.

(e) *Applicability.* This section shall not apply to:

- (1) New homes constructed on lots where the water and sewer construction plans received final approval prior to January 1, 2005, if the house connection or water pressure will not support a residential sprinkler system; or
- (2) New homes for which the contract of sale was signed prior to January 1, 2005.

- (f) *Seller Acknowledgement.* The seller is deemed to be the buyer, may exercise the option required in subsection (a), and sign the disclosure form required in subsection (b) only if:
- (1) There is no signed contract of sale at the time the seller is issued a permit for the construction of the single family dwelling; or
  - (2) There is no buyer at the time the seller is issued a permit for the construction of the single family dwelling.

### **Section 17.111 Fire Damaged Building or Structure.**

(a) *Policy.* A building or structure significantly damaged by fire may collapse, reignite, cause air pollution, provide rodent habitat, or otherwise threaten the public health, safety, or general welfare. Such buildings should be made safe by either ensuring structural integrity, requiring repair, removing the remnants of such structure or otherwise abating the danger posed by the fire damaged building.

(b) *Definition.* For purposes of this section, a fire damaged building or structure shall mean a building or structure or portion thereof which is either structurally unsound or no longer a structure as a result of fire damage and which causes actual danger to the public health and safety.

(c) *Abatement of Fire Damaged Building or Structure.* It shall be unlawful for any fire damaged building or structure to remain on any lot or parcel of ground, unless the danger to the public posed by the fire damaged building can be prevented by alternative measures.

(d) *Notification to Agencies.* Within 5 business days after initial response to a fire, the department of fire and rescue services shall notify the Howard County health officer and the director of the department of inspections, licenses and permits, that a building or structure has been damaged by fire.

- (1) Within 5 business days of receipt of the notification, the director of the department of inspections, licenses and permits, and the Howard County health officer shall cause an inspection of the fire damaged building or structure to determine whether the fire damaged building poses a danger to the health and safety of the public;
- (2) Within 5 business days after the fire, the department of fire and rescue services shall inspect the property to determine whether a fire hazard or imminent danger exists; and
- (3) If it is determined that a violation of the county's fire prevention code, the health code, or the building code exists, a notice of abatement shall be issued within 48 hours of the inspection by the department responsible for administering the code that is being violated.



(e) *Abatement notice.* The county shall send an abatement notice to the owner of any lot or parcel where a fire damaged building is located. The notice shall be served by either registered or certified mail, or by personal service. The notice shall:

- (1) Provide a description of the required abatement.
- (2) Require the property owner to abate the danger posed by the fire damaged structure within a reasonable time.
- (3) Inform the owner that if the danger is not abated, the county may seek a court order to abate the nuisance at the property owner's expense, which abatement may include the demolition of the structure or any portion thereof.
- (4) If, upon investigation, it is determined that a violation of the health code, the fire code or the building code exists, the owner shall be notified of:
  - (i) The specific section in violation;
  - (ii) The deadline for completing abatement; and
  - (iii) The potential civil or criminal penalties, including daily fines, provided by subsection (h) of this section.

(f) *Extension Request.* The property owner may request in writing an extension of time to abate the fire damaged building based upon financial hardship or pending investigation of damage building or other good cause shown. The request must be received within at least 7 business days from the owner's receipt of the county's initial abatement notice as provided in this section.

(g) *Abatement by the County.* If the property owner fails to comply with the notice of abatement, the county may seek a court order to abate the danger to the public health and safety at the property owner's expense.

(h) *Penalties.*

- (1) Any person who fails to comply with a notice of abatement shall be guilty of a misdemeanor and, upon conviction, shall be subject to a penalty of not more than \$100.00 or by imprisonment, not to exceed 30 days, or both.
- (2) Alternatively, and in addition to and concurrent with any other remedies provided by law, including subsection (g) above, this section may be enforced pursuant to the provisions of Title 24, "Civil Penalties," of the Howard County Code. A violation of this shall be a Class B Offense.
- (3) In the event of any conflict between this section the remedies set forth in the fire prevention code, health code or building code for fire damaged buildings, this section shall control.
- (4) Each day a violation of this section exists is a separate offense.